

1 SB417
2 201544-1
3 By Senators Figures, Singleton, Smitherman, Burkette, Beasley
4 and Coleman-Madison
5 RFD: Healthcare
6 First Read: 21-MAY-19

SYNOPSIS: Under Act 2019-189, effective November 15, 2019, abortion or attempted abortion is a felony except to prevent serious health risks to the mother.

This bill would repeal Act 2019-189.

A BILL
TO BE ENTITLED
AN ACT

Relating to abortion; to provide legislative findings; and to repeal Act 2019-189, 2019 Regular Session, providing for criminal penalties for the performance of an abortion or attempted abortion.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds and declares the following:

(1) Act 2019-189, enacted during the 2019 Regular Session, makes it a felony to perform an abortion or to attempt an abortion, and other than an exception relating to

1 the health of the mother, the act provides no other exception
2 to the criminal penalties.

3 (2) This law has been immediately criticized as one
4 of the strictest abortion laws in the country and even
5 religious conservatives have questioned the lack of reasonable
6 exceptions to the prohibition; for example, televangelist Pat
7 Robertson has labeled the law as "extreme" and concludes that
8 Alabama has "gone too far."

9 (3) President Donald Trump has also questioned the
10 reach of this law; he tweeted, "I am strongly Pro-Life, with
11 the three exceptions - Rape, Incest and protecting the Life of
12 the mother - the same position taken by Ronald Reagan. . . ."

13 (4) The overreach of this law has already served as
14 the catalyst for a tarnished view of our state, which will
15 only serve to negatively impact tourism and our economy;
16 numerous groups are already calling for a boycott of our state
17 and other states and localities are choosing not to authorize
18 the spending of state resources on travel to our state.

19 (5) Proponents of the law readily concede that the
20 law is unconstitutional under existing caselaw and is headed
21 for a long and expensive court battle, which will, in turn,
22 unnecessarily cost the taxpayers of this state.

23 (6) Rather than spending state funds on unnecessary
24 and unfruitful legal battles, our resources would be better
25 preserved to address the immediate and urgent needs of
26 Alabamians in this state, including the following:

1 a. The infant mortality crisis; in 2017, Alabama had
2 the fourth worst infant mortality rate in the country: 7.4
3 deaths per 1,000 live births.

4 b. The rural health care crisis in this state; a
5 lack of access to health care in rural areas, access to
6 hospitals, and retention of physicians perpetuates poverty,
7 preventable diseases and illnesses, and is a significant
8 contributing factor to Alabama's 49th ranking in the nation
9 for life expectancy rates.

10 c. The health insurance crisis; this state's failure
11 to expand Medicaid has left more than 140,000 Alabamians
12 uninsured and without access to basic health care.

13 Section 2. Act 2019-189, 2019 Regular Session,
14 providing criminal penalties for the performance of an
15 abortion or attempted abortion, is repealed.

16 Section 3. This act shall become effective
17 immediately following its passage and approval by the
18 Governor, or its otherwise becoming law.